

AMENDED IN ASSEMBLY JUNE 8, 2004

SENATE BILL

No. 1362

Introduced by Senator Figueroa

February 18, 2004

An act to add Section 25218.13 to the Health and Safety Code, and to add Sections 40190.5, 41502, and 41512 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1362, as amended, Figueroa. Solid waste: household hypodermic needles, syringes, and lancets: disposal.

The California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated waste management program. The act requires each county and city and county to prepare and submit to the board a countywide integrated waste management plan that includes, among other things, all city source reduction and recycling elements submitted to the county and the county's source reduction and recycling element. The act also requires cities and counties to prepare a household hazardous waste element for adoption in the countywide plan.

This bill would authorize the hazardous waste element to include a program for the safe collection, treatment, and disposal of sharps waste, as defined, generated by households.

The bill would authorize a permitted household hazardous waste collection facility, as specified, to ~~accept, under certain conditions,~~ *sharps waste generated by households operate as a home-generated sharps consolidation point under certain conditions.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Every year more than 2 billion needles and syringes are used outside of healthcare settings.

(b) Most of these needles are improperly stored and then are placed into either municipal trash or recycling containers, thereby posing serious health risks to children, workers, and the general public.

(c) Although California has enacted the nation's most comprehensive hazardous and medical waste statutes, those statutes do not provide an adequate framework for programs to safely collect and destroy the millions of needles generated each year by California households.

(d) Accordingly, it is the intent of the Legislature in enacting this act to authorize local agencies to expand the scope of their existing household hazardous waste plans to provide for the safe management of sharps waste.

(e) This act shall be known and may be cited as the Safe Needle Disposal Act of 2004.

SEC. 2. Section 25218.13 is added to the Health and Safety Code, to read:

25218.13. (a) A household hazardous waste collection facility that has a permit issued under Section 25218.8 may accept sharps waste generated by households under any of the following conditions:

(1) While operating as a "home-generated sharps consolidation point," as defined in subdivision (b) of Section 417904.

(2) Following notification to the Certified Unified Program Agency, or CUPA, as defined in subdivision (a) of Section 25404, that the local authority has updated its household hazardous waste element pursuant to Section 41502 or 41512 of the Public Resources Code, to include the management of sharps waste generated by households.

(3) In those jurisdictions where there is no CUPA, following notification to the entity required to act as the CUPA under subdivision (f) of Section 25404.3, that the local authority has updated its household hazardous waste element pursuant to

~~Section 41502 or 41512 of the Public Resources Code, to include the management of sharps waste generated by households, operate as a “home-generated sharps consolidation point,” as defined in subdivision (b) of Section 117904, if the facility is approved by the enforcement agency as a point of consolidation pursuant to Section 117904 and the facility complies with the provisions of that section.~~

(b) For the purposes of this section, “sharps waste” has the meaning defined in Section 40190.5 of the Public Resources Code.

SEC. 3. Section 40190.5 is added to the Public Resources Code, to read:

40190.5. “Sharps waste” means waste generated by a household that includes a hypodermic needle, syringe, or lancet.

SEC. 4. Section 41502 is added to the Public Resources Code, to read:

41502. A city household hazardous waste element may include a program for the safe collection, treatment, and disposal of sharps waste generated by households. The program may include any of the following:

(a) The designation of authorized collection locations, including, but not limited to, household hazardous waste collection facilities, designated hospitals and clinics, and fire stations.

(b) Efforts to inform and encourage the public to return sharps waste to designated collection locations.

(c) Efforts to inform and encourage the public to subscribe to mail-back programs authorized by the United States Postal Service.

(d) An estimate of the expenditures required for the safe collection, treatment, and disposal of sharps waste, and consideration of the feasibility of offering low-cost mail-back programs for senior and low-income households.

SEC. 5. Section 41512 is added to the Public Resources Code, to read:

41512. A county household hazardous waste element may include a program for the safe collection, treatment, and disposal of sharps waste generated by households. The program may include any of the following:

(a) The designation of authorized collection locations, including, but not limited to, household hazardous waste

1 collection facilities, designated hospitals and clinics, and fire
2 stations.

3 (b) Efforts to inform and encourage the public to return sharps
4 waste to designated collection locations.

5 (c) Efforts to inform and encourage the public to subscribe to
6 mail-back programs authorized by the United States Postal
7 Service.

8 (d) An estimate of the expenditures required for the safe
9 collection, treatment, and disposal of sharps waste, and
10 consideration of the feasibility of offering low-cost mail-back
11 programs for senior and low-income households.

